

**REMARKS**

Claims 1-10 are pending in the application. Claim 10 has been canceled.

**Claim Rejections - 35 USC §102**

Claims 1-10 were rejected under 35 U.S.C. §102(e) as being anticipated by McGuire (U. S. Patent Publication No. 2004/0242105). Applicants respectfully traverse.

McGuire discloses an improved product and process for making lightweight, high loft nonwoven fabric. In particular, McGuire discloses the nonwoven having natural and/or synthetic fiber and a binder. The synthetic fiber is a polyester, such as polyethylene terephthalate, polybutylene terephthalate, polyethylene naphthalate, or polypropylene terephthalate, or a mixture of these.

However, McGuire nowhere discloses, as recited in claim 1:

“Fibers comprising a copolymer of poly(ethylene terephthalate) and poly(ethylene naphthalate), (PETN)” (emphasis added).

That is, the fibers in the claimed invention comprise a copolymer of poly(ethylene terephthalate) and poly(ethylene naphthalate).

In contrast, the fiber disclosed by McGuire is polyethylene terephthalate or polyethylene naphthalate, or a mixture of them. The copolymer and a polymer mixture have difference polymeric structures. Thus, the fiber in the claimed instant invention is different from those disclosed in McGuire.

Moreover, claims 2-9 are dependent upon claim 1. Thus, at least for the reasons discussed above, McGuire does not disclose the limitations of claims 2-9.

Therefore, it is respectfully submitted that McGuire does not disclose, anticipate or inherently teach the claimed invention and that claim 1, and claims

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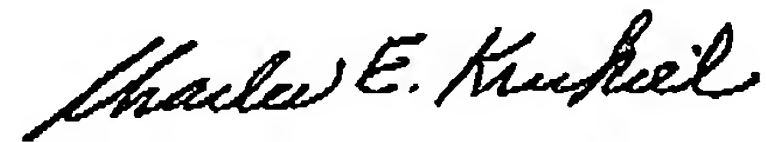
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dependent thereon, patentably distinguish thereover. Reconsideration and withdrawal of the rejection is respectfully requested.

### **CONCLUSION**

Applicants would like to thank Examiner for the attention and consideration accorded the Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel either by telephone or by e-mail. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that are otherwise indicated in the documents accompanying this paper. However, if such additional fees are required, please charge or credit the balance to Deposit Account 50-3223 (Invista North America S.à r.l.).

Respectfully submitted,



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